

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

Case No. CR 03-00689-RGK-1

Date April 23, 2009

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Interpreter None

Sharon L. Williams

Not Reported

Jennifer Corbet/Kevin Rosenberg, Not Present

*Deputy Clerk**Court Reporter/Recorder, Tape No.**Assistant U.S. Attorney*U.S.A. v. Defendant(s):Present Cust. BondAttorneys for Defendants:Present App. Ret.JOHN D. EDWARDS, JR.
(BOP Custody)

N X

Alissa Sawano Peterson

N X

(IN CHAMBERS) DEFENDANT'S MOTION FOR REDUCTION OF SENTENCE

Proceedings: PURSUANT TO 18 USC 3582(c)(2)

After review and consideration of all pleadings submitted, defendant's motion is granted.

The Judgment and Commitment Order shall be amended as follows:

It is ordered that the defendant shall pay to the United States a special assessment of \$100, which is due immediately.

Pursuant to Section 5E1.2(e) of the Guidelines, all fines are waived as it is found that the defendant does not have the ability to pay a fine.

Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, John D. Edwards, Jr., is hereby committed on Count 1 of the Indictment to the custody of the Bureau of Prisons to be imprisoned for a term of **300 months**.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of ten years under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the U.S. Probation Office and General Order 318;

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2. The defendant shall participate in outpatient substance abuse treatment and submit to drug and alcohol testing, as instructed by the Probation Officer. The defendant shall abstain from using illicit drugs, using alcohol, and abusing prescription medications during the period of supervision;
3. During the course of supervision, the Probation Officer, with the agreement of the defendant and defense counsel, may place the defendant in a residential drug treatment program approved by the U.S. Probation Office for treatment of narcotic addiction or drug dependency, which may include counseling and testing, to determine if the defendant has reverted to the use of drugs, and the defendant shall reside in the treatment program until discharged by the Program Director and Probation Officer;
4. As directed by the Probation Officer, the defendant shall pay all or part of the costs for defendant's drug treatment to the aftercare contractor during the period of community supervision, pursuant to 18 U.S.C. 3672. The defendant shall provide payment and proof of payment as directed by the Probation Officer;
5. During the period of community supervision the defendant shall pay the special assessment in accordance with this judgment's orders pertaining to such payment;
6. When not employed at least part-time and/or enrolled in an educational or vocational program, the defendant shall perform 20 hours of community service per week as directed by the Probation Officer; and
7. The defendant shall cooperate in the collection of a DNA sample from the defendant.

Pursuant to 21 U.S.C. § 862(a)(1)(C), the defendant, having sustained a third conviction for distribution of a controlled substance, is permanently ineligible for all Federal benefits, as defined at 21 U.S.C. § 862(d), until such time the Court may suspend the ineligibility.

The Court recommends the defendant be designated to a Bureau of Prisons facility in Southern California, specifically Lompoc. The Court further recommends the defendant's participation in the 500 hour drug treatment program.

IT IS SO ORDERED.

Initials of Deputy Clerk slw